

## **REMARKS/ARGUMENTS**

### **I. Status of the Claims**

Claims 10, 12, 13, 26-29 and 33 were pending at the time the Office Action issued. Applicants note that the Examiner has indicated claim 27 was among the claims withdrawn. Office Action, p. 2. Applicants respectfully note that claim 27 was among the claims listed in Group II of the April 27, 2010 Restriction Requirement. Group II was elected by Applicants in the response dated May 25, 2010. Claim 27 should therefore be currently pending.

### **II. Claim Rejections §112**

Claim 26 has been rejected under 35 U.S.C. §112 paragraph six. The Examiner asserts that Applicants have failed to set forth an adequate disclosure of the "means for obtaining" and "means for controlling." Applicants respectfully traverse the rejections. However, in the interest of obtaining a timely Notice of Allowance, Applicants have amended claim 26 to replace "means for obtaining" with a "sensor", and to replace "means for controlling" with a "processor."

### **III. Claim Rejections §102**

Claims 10, 12, 26, 28 and 33 are rejected under 35 U.S.C. §102 as being anticipated by Bell (U.S. 5,664,270). Applicants respectfully traverse the rejections. However, in the interest of obtaining a timely Notice of Allowance, Applicants have amended claims 10 and 26 to include the limitations of claims 13 and 29, respectively. The Examiner has indicated that claims 13 and 29 would be allowable if rewritten in independent form. Office Action, p. 7. Claims 10 and 26 should therefore now be in allowable form.

Claims 12 and 33 depend from claim 10, and claims 27 and 28 depend from claim 26. Accordingly, claims 12, 33, 27 and 28 should also now be in allowable form.

#### IV. Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 13 and 29 contain allowable subject matter. As indicated above, claims 10 and 26 have been amended to include the limitations of claims 13 and 29, respectively.

#### Conclusion

If a Petition for Extension of Time under 37 C.F.R. 1.136(a) or an additional Petition for Extension of Time under 37 C.F.R. 1.136(a) is required, the petition is herewith made and the Commissioner is authorized to charge the required fee to deposit account number 500326.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment made with the filing of this paper, to Deposit Account Number 500326.

Applicant respectfully requests allowance of the claims and passage of the application to issue. If the Examiner would care to discuss any remaining matters by phone, Applicant invites the Examiner to contact the undersigned at 512-536-3072.

Respectfully submitted,



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